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United State Bankruptcy Court

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District of Minnesota

U.S. BANKRUPTCY COURT  
DULUTH, MN

19-60247-MER  
Case # ~~19-06014-MER~~  
~~19-06014-MER~~

Case type / Request Adversary Proceeding

**Douglas Eric Towle**

**Petitioner**

**Rachelle Leah Payonk**

**Respondent**

Petitioner Douglas Eric Towle who resides at 319 25th Ave N St. Cloud Mn. 56303 is seeking from respondent Rachelle Leah Payonk who resides at 703 8th street N Sartell MN. 56377 a non-dischargeability debt. This debt occurred between November 1st 2015 till December 14th 2015 when Respondent Rachelle Leah Payonk used Petitioner Douglas Eric Towle personal credit card to purchase items after she lost everything in a house fire. At the time of the debt both parties were in a relationship.

This debt is dischargeability because of several actions done by the respondent Rachelle Leah Payonk. Fraud by the debtor bankruptcy cod section **523 (a)(2)(a)**. A debtor may be accused of committing fraud if she intentionally makes a false statement on which creditor relied in offering his credit card. Proven in conciliation court respondent admitted to making several claims of receiving a \$25,000.00 dollar insurance payment from a renters insurance policy for lost/damaged items in house fire. Said claims were the sole reason why credit card was borrowed to purchase items lost in the fire. Respondent Rachelle Leah Payonk continued such claims and at one point claimed partial payment from insurance. At the time Respondent

made a fraudulent payment of \$10,000.00 dollars toward debt. Four days later payment was reversed.

Futhermore all debt ocured in a very short amount of time between November 1st 2015 up to December 14th 2015 to the amount over \$15,000.00 dollars. After numerous attempts for payment including winning a conciliation case (court file number 05-c0-16-81) in Benton County which was entered June 22 2016 not one single payment has ever been made or received. This action by the respondent Rachelle Leah Payonk also proves fraud in that is shows no intention of trying to repay the debt.

I am seeking from the court a **Adversary court Proceeding** by a judge to argue and prove my case.

Angus Eric Toulk 7-31-19  
320-282-3684